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PART III—SECTION 3

Notifications relating to Minor Administrations

GOVERNMENT OF KUTCH

NOTIFICATIONS

Bhuj, the 11th January 1955

No. S-5/55—Reference this Government Notification No. S-122/53, dated the 28th October 1954.

2. With the approval of the Union Public Service Commission and in exercise of the powers delegated to him under schedule attached to Government of India, Ministry of States Notification No. 36-S, dated the 10th March 1953, the Chief Commissioner for Kutch is pleased to continue, on the existing terms, Shri R. C. Katkoria as Assistant Engineer, Irrigation Division, Kutch Public Works Department with effect from 1st January 1955 to 31st March 1955 or till the nominee of the Union Public Service Commission becomes available for appointment to the post, whichever is earlier.

By order

S. B. PATIL

Secretary to the Chief Commissioner for Kutch

Bhuj, the 12th January 1955

No. S-84/54—Reference paragraph 2 of this Government Notification No. S-136/53, dated the 24th April 1954.

2. Consequent on Shri M. H. Dholakia's transfer to the Sales Tax Department (vide this Government Notification No. S-240/54, dated the 31st August 1954), the Chief Commissioner is pleased to continue the officiating appointment of Shri S. C. Sheth as Treasury Officer, Kutch with effect from 31st August 1954.

By order

S. B. PATIL

Secretary to the Chief Commissioner for Kutch

GOVERNMENT OF AJMER

Revenue Department

NOTIFICATIONS

Ajmer, the 8th January 1955

No. 62(2)/110/53-Rev—The Chief Commissioner has approved of M/s Dhul Chand Bachraj of Champaneri (State of Ajmer) as a candidate for a licence to prospect and a mining lease to mine minerals except petroleum and natural gas in the State of Ajmer.

This Certificate of Approval is valid upto the midnight of 31st December 1955 and is granted on the condition that M/s Dhul Chand Bachraj of Champaneri (State of Ajmer) shall employ as their Manager an individual possessing sufficient practical experience on the technical side of mining. This Certificate will be liable to cancellation without compensation if at any time it is found

that M/s Dhul Chand Bachraj of Champaneri (State of Ajmer) have failed to employ as their Manager, a person having sufficient technical experience of mining.

By order of the Chief Commissioner

A. SEN

Chief Secretary

Ajmer, the 8th January 1955

No. 62(2)/22/53-Rev—It is hereby certified that the Certificate of Approval granted to M/s Gopilal Brij Raj of Beawar in this Government Notification No. 3/152/51-Mines, dated the 9th April 1952 has been further renewed with effect from 1st January 1955.

2. This renewed Certificate of Approval will remain in force upto the midnight of 31st December 1955.

By order

S. A. RAUF

Deputy Secretary

Ajmer, the 8th January 1955

No. 62(2)/91/53-Rev—It is hereby certified that the Certificate of Approval granted to Choudhry Lal Chand Pearcey Lal, Naya Bazar, Ajmer in this Government Notification No. 3/132/51-Mines, dated the 16th August 1951 has been further renewed with effect from 1st January 1954 to 31st December 1954.

By order

S. A. RAUF

Deputy Secretary

Ajmer, the 12th January 1955

No. 76/24/53-Rev—Shri Hadi Hasan, Record and Rent Rate Officer, Ajmer, was reverted to U.P. with effect from the afternoon of 31st August 1954.

By order

S. A. RAUF

Deputy Secretary

Ajmer, the 15th January 1955

No. 62(2)/36/53-Rev—It is hereby certified that the Certificate of Approval granted to Shri Keshav Lal D. Dave Commission Agent and Contractor, Ajmer in this Government Notification No. 659/173/A/37, dated the 26th April 1939, has been further renewed with effect from 1st January 1955.

2. This renewed certificate of Approval will remain in force upto the midnight of 31st December 1955.

By order

S. A. RAUF

Deputy Secretary

Public Works and Excise Department*Ajmer, the 31st December 1954*

No. E(1)/6/54-PWE—In exercise of the powers conferred by section 62 of the Excise Regulation, 1915 (I of 1915) the Chief Commissioner, Ajmer is pleased to make the following rules:—

The Ajmer State Bonded Pharmacy Rules 1954

Short title and extent.—1. (1) These rules may be called the Ajmer State Bonded Pharmacy Rules 1954.

(2) They extend to the whole of the State of Ajmer and shall come into force immediately.

(A) DEFINITIONS

(3) In these rules, unless there is anything repugnant in the subject or context:—

- (a) 'Absolute Alcohol' means rectified spirit conforming to B.P. specifications of absolute Alcohol.
- (b) 'Alcoholic medicines' means medicinal preparations containing rectified spirit and includes solid extracts prepared directly from drug with the help of rectified spirit irrespective of the fact whether these extracts in their final form contain alcohol or not.
- (c) 'Bonded Pharmacy' means the premises or part of the premises approved and licensed by the Excise Commissioner for the manufacture of Absolute Alcohol or Alcoholic medicinal preparations in bond and for the storage of Rectified Spirit and finished Alcoholic medicines in bond and includes a portion of a licensed distillery set apart for the purpose.
- (d) 'Chemical Examiner' means the Chemical Examiner or such other officer as the State Government may approve and declare as such from time to time.
- (e) 'Collector' means the Collector of Excise Revenue State of Ajmer.
- (f) 'Excise Commissioner' means the officer appointed by the Chief Commissioner under Clause (a) of Section 7 of the Regulation.
- (g) 'Gallon' means an Imperial gallon of 160 liquid ounces.
- (h) 'Laboratory' means that part of the Pharmacy in which the actual manufacture of absolute alcoholic medicines takes place.
- (i) 'Manufacturer' means a person or firm to whom a license has been granted under these rules for manufacture of absolute alcohol and alcoholic medicines.
- (j) 'Officer-in-Charge' means an Excise Inspector deputed by the Collector to supervise the work in a bonded pharmacy.
- (k) 'Rectified Spirit' means plain spirit of a strength of not less than 50 degrees over proof—(50° O.P. and includes absolute alcohol).
- (l) 'Regulation' means the Excise Regulation 1915 (I of 1915).
- (m) 'Spirit Store' means that part of the Pharmacy which is set apart for storage of rectified spirit.
- (n) 'Superintendent' means Superintendent of Excise Revenue appointed under section 7 of the Regulation.
- (o) 'Warehouse' means that part of the bonded pharmacy in which finished absolute alcohol and alcoholic medicines are stored in bond.

(B) LICENSES AND LICENSED PREMISES

2. (a) Any person or firm desiring to use rectified spirit for manufacturing absolute alcohol and alcoholic medicines in bond must apply in writing to the Excise Commissioner through the Collector for a license to maintain a bonded pharmacy. The applicant should specify the following particulars:—

- (i) Name and address of the applicant.
- (ii) The situation of the bonded pharmacy.
- (iii) The maximum quantity of proof spirit likely to be in stock on the bonded premises at any one time.
- (iv) A list of alcoholic medicines proposed to be manufactured.

(b) With the application shall be sent a correct plan in duplicate drawn to scale on tracing cloth showing the

plan and the elevation of the premises and the position of the spirit store, laboratory and warehouses and the exact position and dimensions of all permanent vessels for the storage of rectified spirit or alcoholic medicines and of all compounding tables, almirahs, safes, sinks, etc. and all important details connected with the bonded pharmacy or with the vessels in it.

3. The Excise Commissioner, who if he accepts the application shall fix the nature and amount of the security which the applicant shall be required to give for the due execution of these rules and the payment of all sums chargeable against him.

4. (a) The Excise Commissioner may at his discretion after consulting the Civil Surgeon grant a license in Form B.P.1 for a period not exceeding one year ending on 31st March next following, which shall be renewable annually.

(b) An application for the renewal of a license shall be made to the Excise Commissioner through the Collector at least one month before the expiry of the current license. Each application shall be accompanied by a certificate from the Officer-in-Charge that no unauthorised structural alterations to or changes in the building or plant or in the relative positions of the vessels have taken place since the issue of the previous license.

5. The fee for a license shall be Rs. 100 for a year or part of a year payable in advance.

6. (a) The Excise Commissioner may on sufficient cause shown refuse to renew a license or may at any time determine it.

(b) If a licensee infringes to causes or permits any person to infringe any of the rules or any of the conditions of his license the Excise Commissioner may revoke and determine the license and he may forfeit to State the whole or any part of the security deposit.

Provided that if the infringement is of a minor nature, the Excise Commissioner may in lieu of cancellation of the license and forfeiture of the security compound the offence on payment by the licensee of a sum not exceeding Rs. 200.

(c) If the licensee for any cause, physical or mental, becomes incapable of carrying on business, or dies or becomes insolvent, or in the case of a firm the company is wound up, the Excise Commissioner may—

- (1) either cancel the license, or
- (2) continue it in the name of the legal representative of the licensee.

(d) Neither the licensee nor any other person shall have any claim to the renewal of a license or any claim for compensation or damages whatsoever in respect of the non-renewal, revocation, cancellation or deterioration of the license.

7. The licensee shall not transfer or divide his interest in the business without the previous permission of the Excise Commissioner.

8. If the licensee goes out of business he shall dispose of his stock of rectified spirit or unused preparations in such manner as the Excise Commissioner may direct.

9. The bonded pharmacy shall at all times be open to inspection by such officers of the Excise and Medical Departments as may be authorised in this behalf.

(C) ARRANGEMENTS

10. (a) The portion of the bonded pharmacy used as the laboratory shall be separated from those used for any other purposes.

(b) The windows of the Spirit Store, Laboratory and Warehouses shall be fitted with malleable iron bars not less than three quarters of an inch in thickness set not more than four inches apart and fixed in the brick work to a depth of at least two inches at each end. On the inside of each window there shall be securely fastened to the bars stout wirenetting the apertures of which must not exceed one inch in diameter.

(c) There shall be only one entrance to the bonded pharmacy and one door each to the laboratory, spirit store, and the warehouse each door being secured by an Excise ticketed lock.

(d) All pipes from sinks or wash basins inside the laboratory premises shall discharge into closed drains, forming part of the general drainage system of the premises.

(e) All electric connections in the licensed premises shall be so fixed as to admit of the supply of the electricity being cut off and the regulators or switches being securely locked at the end of the day's work.

(f) All alterations in arrangement of buildings and plant shall be made only with the previous sanction of the Excise Commissioner.

11. (a) The permanent vessels for the storage of the rectified spirit received under bond and of finished absolute alcohol and alcoholic medicines stored under bond shall conform with such rules relating to licensed distilleries as may be considered necessary by the Superintendent of Excise.

(b) The receptacles for storage of finished preparations in the warehouse may be of metal, porcelain or glass as may be convenient and necessary but all vessels containing absolute alcohol in alcoholic medicines stored in bond shall be made capable of either being secured with ticketted locks or being sealed.

(c) All permanent vessels shall be gauged by the officer-in-charge for which purpose tables shall be compiled to show the contents of each inch and tenth of an inch of its depth.

(d) Each permanent vessel shall bear a distinctive serial number which shall be registered and its full capacity as also the purpose for which it is to be used shall be distinctly and indelibly marked on it.

(e) Bottles of not less than two fluid ounces capacity may be used for keeping alcolohic medicines ready for removal.

12. (a) All receptacles containing rectified spirit tinctures extracts or other alcoholic medicines shall have affixed to them labels in form B.P.3 signed by the officer-in-charge.

(b) Labels placed on macerators and percolators shall show the quantity of the proof spirit contained in them on each occasion and may be destroyed, when these vessels are emptied and cleaned.

(c) Labels on bottles filled for removal must show among other details which the manufacturer may require the percentage of the proof spirit that each contains.

13. (a) The charging and discharging pipes of spirit store vats, and all vessels used for the storage of spirit, all mandoors of such vats or vessels and the doors of the spirit store, laboratory and the warehouse shall be so fitted as to enable them to be closed with two locks the keys of which are not inter-changeable, and of which one lock shall be a ticketted lock in charge of the officer and the other a lock incharge of the manufacturer.

(b) The keys of all the ticketted locks shall be kept by the officer in charge in whose absence no door or vessel in the bonded pharmacy may be unlocked or remain unlocked.

14. Any distilling or converting apparatus which may be erected shall be locked with ticketted locks and the reservoirs, trap vessels, worms etc. in which potable spirit may be contained or received shall be so constructed as to prevent abstraction of spirit before the officer-in-charge has taken an account of it.

15. (a) The bonded pharmacy shall only be opened and closed in the presence of the officer-in-charge and shall remain closed from sunset to sunrise.

(b) Working in the bonded pharmacy shall only be carried on between sunrise and sunset and on such days and during such hours as may be fixed by the Collector.

D. INSTRUCTIONS TO OFFICERS SUPERVISING AND CONTROLLING SPIRIT TRANSACTIONS IN BONDED PHARMACIES

16. Subject to the orders of the Excise Commissioner the officer-in-charge shall carry out all directions contained in these rules and all orders issued from time to time by superior officers. In cases of doubt or dispute he shall refer the matter to the Excise Commisioner through proper channel, for orders.

17. The officer-in-charge shall supervise the operations in the Bonded Pharmacy during the hours fixed for his attendance. He shall be responsible for all rectified spirit in store for its proper use in the manufacture of absolute alcohol and alcoholic preparations and for the safe custody of finished absolute alcohol and alcoholic medicines in the warehouse on which duty has not been paid.

18. (a) The officer-in-charge shall maintain accounts in the prescribed forms and shall take steps to ensure that the manufacturer maintains accounts also.

(b) Separate accounts shall be written up daily by the officer-in-charge and by the manufacturer's authorised agent and shall be compared and reconciled before the bonded pharmacy is closed at the end of the day's transactions.

19. Collection of duty from the premises—The officer-in-charge is responsible for the correct collection of duty at the prescribed rates before any absolute alcohol or alcoholic medicine is allowed to be removed from the premises provided that the samples taken by the manufacturer for declaring strength of the finished products in accordance with the provisions in rule 35(c) and for samples to be sent to the Chemical Examiner, vide rules 34(a) and 35(c) shall be issued free of duty.

20. The officer-in-charge shall exercise such supervision as is required to ensure that rectified spirit issued from the spirit store for a certain preparation is added to the materials which go to make that preparation and that no portion of such rectified spirit is used for other purposes. He shall not enquire into the detail of manufacture.

21. (a) Only the manufacturer or his manager and such servants, as are required to be there shall enter the bonded pharmacy.

(b) The manufacturer shall furnish to the officer-in-charge a list showing the names of the manager or assistant manager employed by him and of all the employees whose duties require them to enter the bonded pharmacy.

(c) He shall further inform the officer-in-charge of any changes which are to be made in the list.

22. The Superintendent of Excise shall inspect the bonded pharmacy at least 3 times a year and shall send his report to the Collector of Excise Revenue.

E. MANUFACTURE OF ABSOLUTE ALCOHOL, TINCTURES, EXTRACTS AND OTHER ALCOHOLIC MEDICINES

23. *Restrictions on Manufacture*—No alcoholic medicines other than those previously approved by the Collector in consultation with the Civil Surgeon and no essences, flavouring materials, perfumes, toilet or other preparations which are not medicinal preparations shall be manufactured under these rules. The manufacturers shall submit recipes of the solid extracts they intend to prepare and only these solid extracts the recipes of which have previously been approved by the Collector in consultation with the Civil Surgeon, Ajmer shall be manufactured under these rules.

24. *Indent for rectified spirit*—Rectified spirit required for manufacturing absolute alcohol and alcoholic medicines may be obtained in bond without prepayment of duty in quantities not less than 5 gallons at a time on a permit issued by the Collector.

(b) Whenever the manufacturers desire to obtain rectified spirit under bond they shall apply for a permit to the Collector mentioning:—

(i) the name of the Distillery or Bonded Warehouse from which the rectified spirit is to be obtained,

(ii) the quantity and strength of rectified spirit required, and

(iii) the purpose for which the rectified spirit is required.

The Collector on receipt of this application shall, if he sees no objection grant permit in quadruplicate in form B.P.4; one copy of which will be given to the manufacturer to be presented to the distillers, one sent to the officer-in-charge of the distillery from where the rectified spirit is required to be imported, the third will be sent to the officer-in-charge bonded pharmacy and the fourth shall be retained in the office for record.

25. In no case shall the quantity of rectified spirit in the possession of the manufacturer exceed the limit fixed by the Excise Commissioner and no unnecessary stock of spirit shall be carried by the manufacturer.

26. (a) Immediately on receipt of the consignment along with the pass from the distiller, the officer-in-charge shall enter upon both copies of the pass, the bulk gallons, strength and proof gallons found by him after gauging and proving as well as the transit wastage in proof gallons for each vessel.

(b) One copy of the pass shall be returned to the officer-in-charge of the distillery from where the rectified spirit was received and the other shall be sent to the office of the Collector for record.

(c) The wastage in transit shall be dealt with in accordance with the rules prescribing the transit wastage in the case of distillery, provided that duty on excess wastage shall be leviable at the rates prescribed by the State Government for Indian made foreign spirit.

27. (a) *Storage of rectified spirit on receipt*—Rectified spirit shall be transferred forthwith to locked vessels

in the store and the result of the verification of the consignment entered in form B.P.5.

(b) The officer-in-charge must take the dip in each store vessel once everytime the spirit is issued as a check on loss or abstraction.

The dip thus take must be entered in the diary Form B.P. 7 and the prescribed account in Form B.P. 6.

28. No spirit shall be removed from any store vessel until an account of the quantity and strength has been taken by the officer-in-charge.

29. Rectified spirit obtained under these rules shall not be issued from the spirit store for sale to the public or to the trade, provided that transfers from one bonded pharmacy to another may be made with the special sanction of the Collector.

30. (a) *Manufacture*—Whenever absolute alcohol or any alcoholic medicine is to be manufactured the rectified spirit required for such preparation shall be obtained on application to the officer-in-charge of the bonded pharmacy in form B.P. 8, in one or more instalments from the spirit store in such quantities as are in conformity with the formula laid down in the British Pharmacopoeia or otherwise approved by the Civil Surgeon. The spirit thus obtained shall be added without delay in the presence of the officer-in-charge to the materials to be treated.

(b) In cases in which it is necessary to use some quantity of absolute alcohol or any finished alcoholic medicine instead of, or in addition to rectified spirit, the quantity so required shall be taken from the warehouse and added in the presence of the officer-in-charge without delay to the materials to be treated. Such transfers shall be shown in the respective registers maintained and alcoholic contents shall be adjusted correctly.

31. Spirit recovered from the residues shall be either:

- (a) transferred to a gauged and locked vessel kept for the purpose and thence removed for use as required; or
- (b) used at once in continuation of the process from which it was obtained; or
- (c) destroyed in the presence of the officer-in-charge who shall certify in red ink in the diary and in Form B.P. 9. its quantity and apparent strength; or
- (d) kept for use in special way approved by the Excise Collector.

32. If it is not intended to recover the contained spirit from the residues, the latter must be destroyed in the presence of the officer-in-charge who will record this as in rule 31(c).

33. *Storage of alcoholic medicines*—(a) The finished alcoholic medicines and absolute alcohol shall be kept separate from those in the course of preparation and be stored separately in the warehouse. In case the finished alcoholic medicine is a solid extract it shall be the duty of the manufacturer to declare whether it is absolutely free from alcohol and if not, the percentage of its proof spirit contained therein.

(b) Finished alcoholic medicines and absolute alcohol preparations should be stored either in bulk in permanent vessels or in bottles in accordance with rule 11(b) (c), (d) and (e) supra.

(c) The description, quantity and true strength of the alcoholic medicine must then be recorded by the manufacturer or his agent on a label which must bear the distinctive serial number corresponding with the number entered in the prescribed register and must be signed and dated by the officer-in-charge.

(d) Every preparation stored in bulk must be measured into the storage vessels to the nearest fluid ounce by the officer-in-charge who must then close and seal the vessel with his official seal.

(e) When any of the contents of a vessel in which absolute alcohol or alcoholic medicines are stored in bulk, are removed, the officer in charge must enter on the label attached thereto the quantity taken out and the manner of disposal with his signature and date.

34. *Samples*—(a) A sample of finished absolute alcohol shall invariably be taken at the time of its removal to the warehouse and sent to the Chemical Examiner for analysis and test of strength and also for report whether it conforms with the British Pharmacopoeia standard. Samples of finished alcoholic medicines may also be taken at the time of their removal to the warehouse for despatch to the Chemical Examiner for analysis and test of the quantity of the proof spirit contained therein,

(b) Not less than 10 per cent. of the alcoholic medicines brought into the warehouse in the month should thus be sampled and the officer-in-charge is responsible for seeing that this is done. Samples of solid extracts may also be taken if necessary by the officer-in-charge of a Bonded Pharmacy before issue to be sent to the Chemical Examiner for ascertaining whether the solid extracts declared by the manufacturers to be free from alcohol, are really so. This shall always be done when a solid extract of a particular kind is manufactured in the pharmacy for the first time.

(c) These samples shall be taken personally by the officer-in-charge.

35. (a) Samples of alcoholic medicines may also be taken at any time by the Excise Commissioner the Collector, the Superintendent of Excise or the Civil Surgeon. Such samples shall be sent to the Chemical Examiner for analysis and check.

(b) Samples can be taken by the manufacturer for his own purpose on payment of duty on the quantity of the proof spirit contained in such samples at rates on which rectified spirit for such preparations is liable to be charged.

(c) Samples free of duty will be supplied to the manufacturers for declaring the alcoholic strength of the finished preparation provided that the quantity thus taken for each batch does not exceed 3 fluid ounces and in the case of solid extracts such quantity as may be fixed by the Collector.

36. *Procedure in samples*—(a) A sample shall not exceed 3 fluid ounces and in the case of solid extracts such quantity as may be fixed by the Collector of Excise except in special cases in which previous sanction of the Excise Commissioner shall be obtained.

(b) Every sample for Chemical Examiner must be taken in duplicate.

(c) The cork of every bottle in which a sample is kept must be sealed with an official seal and the name of every preparation and batch number must be stated on a label affixed to each such bottle.

(d) The duplicate samples must be kept under excise lock until the result of analysis has been reported unless specially asked by the Chemical Examiner to replace the original samples or to repeat an analysis. Duplicate samples to which no further reference can be needed may be returned to the manufacturer.

(e) The samples to be sent for examination must be placed in a case and securely fastened with tape or wire provided by the manufacturer and be sealed by the officer-in-charge with the official seal and despatched without delay at the expense of the manufacturer to the Chemical Examiner.

(f) An advice letter in form B.P.10 must be despatched to the Chemical Examiner at the same time.

(g) Save in exceptional cases, the number of samples of alcoholic medicines for Chemical Examination shall not exceed 15 per cent. of those brought into the warehouse during a month.

37. *Determination of proof contents*—(a) At the time of transfer of absolute alcohol or alcoholic medicines from the laboratory to the warehouse the manufacturer shall declare the strength of the absolute alcohol or medicines so transferred and entries shall be made in the registers according to the strength so declared by the manufacturer.

(b) If the strength of a sample of absolute alcohol found by the Chemical Examiner does not differ from the declared strength by more than 0.5° no correction need be made in the strength shown in the register. In the other case necessary correction shall be made in the registers with regard to strength and quantity shown in proof gallons.

(c) If the strength of a sample of an alcoholic medicine actually found by the Chemical Examiner does not differ from the declared strength by 3° no correction need be made in the strength of the medicines shown in the registers.

(d) If the actual strength differs from the declared strength by 3° or more the strength of the preparation as well as the quantity shown in the proof gallons shall be corrected accordingly.

(F) ISSUES OF ABSOLUTE ALCOHOL, TINCTURES, EXTRACTS AND OTHER ALCOHOLIC MEDICINES

38. *Procedure for issues*—(a) An account of absolute alcohol and alcoholic medicines issued from the warehouse shall be maintained in form B.P.11.

(b) All issues be made only on application by the manufacturer in form B.P.12 which shall be accompanied by a treasury receipt in token of the payment of prescribed duty on the preparations concerned except in the case of solid extracts declared by the manufacturer to be absolutely free from alcohol, when only an application for issues would be required.

Issues of solid extracts free from alcohol may be made from the bonded warehouse under a gate-pass as soon as the manufacture is complete.

(c) The manufacturer must state in the application the number of bottles or jars in which each preparation is contained and the bulk quantity to be removed.

(d) The Officer-in-charge after satisfying himself that the amount of duty has been paid into the treasury shall issue the preparation applied for and shall grant a pass in form B.P.13.

29. Calculation of duty.—(a) All calculations of duty on rectified spirit contained in absolute alcohol or medicinal preparation issued shall be made according to the strength declared by the manufacturer unless the result of the Chemical Examiner has been received before issue.

(b) If the actual strength exceeds the declared strength by 0.5° in case of absolute alcohol and by 3° or more in the case of alcoholic medicines a surcharge of duty shall be levied if any issues have been allowed from the particular batch before the receipt of the Chemical Examiner's report.

(c) No refund will be allowed if the strength declared by the manufacturer is found higher than the actual strength reported by the Chemical Examiner.

(d) At the close of each month the officer-in-charge shall make a list giving the name of the preparation, number of gallons manufactured, batch number, declared strength and strength found on analysis during the month in regard to which the strength found by the Chemical Examiner exceeded the declared strength by 0.5° or more in the case of absolute alcohol and 3° or more in the case of alcoholic medicines as the case may be. The list shall be sent by the officer-in-charge immediately to the Collector through the Superintendent of Excise who may impose a penalty to the extent of ten times the shortage of duty on the quantity manufactured.

40. Duty free supply.—(a) If the manufacturer has been authorised by the State Government to supply absolute alcohol and alcoholic medicines duty free to charitable hospitals and dispensaries in Indian Union which are under the supervision of a State Government, local boards and municipalities, mission authorities and other private bodies and veterinary hospitals and dispensaries such preparations may be issued under a pass without payment of duty to the amount specified in the orders signed by—

- (i) the highest Excise authority of the State in the case of supplies to other States,
- (ii) the medical officer of the institution and countersigned by the Civil Surgeon, Ajmer, in the case of supplies within Ajmer State.

(b) The original orders must be retained by the officer-in-charge as authority for the issues and attached to the notices to which they relate. The officer-in-charge will write the words "issued under notice no. and dated the with his initials and date on each sheet of the order. Should the order for such preparations not have been signed or countersigned by a Civil Surgeon or not covered by an authorisation from the Excise Commissioner of the province, the preparations may be issued on production of a copy of the order together with a certificate by the manufacturer that the preparations are urgently required. The manufacturer must in such case, within one month of the date of issue, produce an order duly signed or countersigned by the Civil Surgeon concerned and the authorisation of the Excise Commissioner of the State for the issue of those medicines. Should he fail to do so he will be required to pay the duty at the prescribed rates.

(c) The manufacturer must produce to the officer-in-charge a receipt signed by the proper Medical Officer acknowledging the receipt of each consignment of duty free preparations if no receipt for any alcoholic medicines issued duty free is produced within three months of the date of despatch or if it should appear that any such consignment was not received by the consignee the case must be reported to the Excise Commissioner.

(d) In case a shortage is discovered at the destination the manufacturer shall be liable to pay duty on such shortage at the rate prescribed for rectified spirits when used for medicinal purposes, provided that if it is proved to the satisfaction of the Excise Commissioner that the shortage

Whenever the number of bottles in any consignment the manufacturer had no control, he may remit whole or part of the duty payable.

41. Checking of contents of bottles.—(a) When issues are made from absolute alcohol and alcoholic medicines stored in bottles, the contents of the bottles are to be checked at the time of issue according to the following scale :

Whenever the number of bottle in any consignment does not exceed 100 the officer-in-charge is to measure one in any remaining number up to hundred. When the number exceeds 100 three bottles are to be measured in the first 100 and one in every 50 and fraction of 50. A larger proportion should be measured should the officer-in-charge consider it necessary.

(b) The officer-in-charge must certify in form B.P.12 the number of bottles issued and how many were checked on measurement.

42. Sealing, labelling and packing.—(a) All jars, bottles or other vessels and packages in which consignments are issued shall be sealed by the officer-in-charge with his official seal before they leave the warehouse.

(b) Absolute alcohol or alcoholic medicines put up in small bottles should be issued and packed in boxes containing such number of bottles that the total proof spirit contents of the preparation contained in each box is not less than 0.1 proof gallon.

(c) These boxes shall be securely fastened and sealed by the officer-in-charge.

(d) Every phial, bottle, jar or vessel containing spirituous medicinal preparations or absolute alcohol shall bear a label on which the percentage of the alcohol contained in the preparation or absolute alcohol is clearly and accurately indicated.

43. (a) Absolute alcohol and rectified spirit, after being placed in bottles or other suitable containers in the laboratory and transferred to the warehouse may only be issued from the latter to—

- (i) Officers and charitable and educational institutions in the State authorised by the Excise Commissioner to obtain duty free supplies thereof provided that the quantity so issued shall be limited to the quantity specified in the permit;
- (ii) Government Hospitals and Municipal and District Board dispensaries authorised by the Civil Surgeon to obtain duty free supplies thereof on indents;
- (iii) Officers and institutions in other States on production of permits from officers authorised to grant the same; and

(b) For the purpose of this rule "absolute alcohol shall have the meaning assigned to it in the British Pharmacopoeia and "rectified spirit" means rectified spirit which is of lower strength than absolute alcohol.

44. Advance account.—The manufacturer may make an advance deposit in cash against payment of duty and issues of absolute alcohol and alcoholic medicines may then take place so long as a sufficient balance is available. In this case the officer-in-charge shall keep an account in form B.P.18.

(G) ACCOUNTS AND RETURNS

45. (a) The officer-in-charge shall maintain the following registers :—

- (i) Receipt account of rectified spirit B.P.5.
- (ii) Vat account of spirit recovered from residue B.P.6.
- (iii) Account of spirit recovered from residue from B.P.9.
- (iv) Account of samples sent to the Chemical Examiner B.P.14.
- (v) Account of absolute alcohol and finished alcoholic medicines issued from the warehouse B.P.11.
- (vi) Gauge tabulations B.P.7.
- (vii) Register of advance account B.P.18.
- (viii) Dairy B.P.7.

(b) He shall also use the following forms :—

- (i) For advice to Chemical Examiner about samples sent, B.P.10.
- (ii) For pass B.P.13.

46. (a) The manufacturer shall maintain the following :—

- (i) Stock account of rectified spirit used for manufacturing absolute alcohol and alcoholic medicines B.P.19.

- (ii) Register of operations in the laboratory B.P.15.

- (iii) Stock account of each alcoholic medicine and absolute alcohol manufactured B.P.16.
- (b) He shall also use the following forms :—
 - (i) For application of pass, B.P.12.
 - (ii) For labels B.P.3.
 - (iii) For monthly returns B.P.17.
 - (iv) For application for issues B.P.8.

(c) At the end of each month the manufacturer shall deliver a statement in form B.P.17 in duplicate to the officer-in-charge who after verifying it shall forward a copy to the Collector through the Superintendent of Excise.

(d) The manufacturer shall also furnish such other statements as may be required and prescribed under the rules.

47. (a) All registers and forms of B.P. series (except B.P.1) whether required for use by the manufacturer or the officer-in-charge shall be printed at the cost of the manufacturer and those used by the officer-in-charge shall be supplied to him free of charge.

(b) Forms bound together will bear printed serial and consecutive numbers.

(c) Loose sheets of such forms as may be necessary shall also be supplied to the officer-in-charge.

(H) STOCK TAKING AND WASTAGE

48. Stock taking.—(a) The stock of spirit in the spirit store shall be taken by the officer-in-charge on the last working day of each month.

(b) The stock of absolute alcohol and alcoholic medicines in the warehouse shall be similarly taken.

49. Wastage.—(a) The monthly allowance for wastages on spirit in the spirit store shall not exceed 1.5 per cent. Duty at the rate prescribed for Indian made Foreign Spirit shall be leviable on wastage in excess of 1.5 per cent.

(b) Wastages not exceeding 20 per cent. will be allowed for loss on all spirit issued from the spirit store for the making of absolute alcohol and alcoholic medicines in the laboratory provided that if in any case the manufacturer is able to satisfy the Collector that wastage in excess of 20 per cent. had actually occurred and was unavoidable, the wastage may be allowed to the extent actually proved to be unavoidable. Wastage in excess of 20 per cent. in manufacture shall be charged at the rate of Rs. 5 per L.P. gallon unless gross carelessness, inefficiency or dishonesty is proved on the part of the manufacturer in which case the duty shall be charged at the rate prescribed for Indian made Foreign Spirit.

(c) Wastage on spirit contained in absolute alcohol and alcoholic medicines stored in the warehouse exceeding 1.5 per cent. shall be reported to the Superintendent of Excise for orders.

(I) GENERAL

50. Cost of establishment.—The manufacturer shall pay such proportion of the cost of Excise staff required for supervising as the State Government may from time to time direct. For a whole time establishment generally the recoveries should be made of :

- (i) Average cost of the grade of officer posted,
- (ii) Leave and pension contribution for that grade, and
- (iii) Dearness allowance, Medical charges and any other allowance attached to that post or locality. The Officers and staff should also be provided with free quarters of suitable standard within the factory premises or in close proximity thereto failing which house rent allowance in accordance with the practice of the State should be recovered.

51. The manufacturer shall provide office furniture for the use of the Officer-in-charge of the bonded pharmacy. The manufacturer shall be bound to keep the quarters and their appertenances in proper repair and not to interrupt or annoy any officer residing therein in his use or enjoyment thereof.

52. Size of establishment.—(a) The strength of the staff for a part time unit should be one part time officer of Sub-Inspector's status and two peon constables.

(b) For a whole time unit one wholetime officer and three peon constables.

(c) For a laboratory whose monthly consumption exceeds 850 L.P. Gallons a whole time officer of the rank of an Inspector of Excise.

For larger establishment, the Commissioner of Excise shall determine the supervisory staff in consultation with the licensee.

53. Nothing in these rules justifies the use of a label or in advertisement of words stating or implying that the

alcoholic medicines are sold under a Government guarantee as to contents or quality.

54. Procedure on outbreak of fire.—(a) If a fire occurs in a bonded pharmacy the Collector should immediately cause an enquiry to be held by a Gazetted officer in order to determine the liability of the licensee to pay duty on the spirit wasted.

(b) No duty shall ordinarily be assessed on spirit on which duty has not been paid.

(c) If duty has been paid on any quantity of spirit contained in absolute alcohol or alcoholic medicines although these have not left the bonded pharmacy, the Collector must satisfy himself that the spirit was really destroyed before any refund is paid.

(d) If such a refund is to be paid, it shall be calculated on the actual quantity or spirit on which duty has been paid.

(e) The previous sanction of the Excise Commissioner is required before any such refund can be paid.

(f) If either duty is to be levied or a refund is to be granted, the Collector in his report should come to a clear finding whether the loss was due preventable causes which should have been foreseen or guarded against by the licensee.

55. Once absolute alcohol and alcoholic medicines have passed out of the bonded pharmacy no refund of duty shall be paid upon them.

56. (a) The manufacturer shall be bound to obey all rules which may be already in force or which may hereafter be prescribed relating to the management and control of the bonded pharmacy.

(b) He shall also be bound to report to the officer-in-charge any case in which any person employed by him has been found to have committed any breach of the excise laws or of the engagements entered into by him.

(c) The accounts maintained by the manufacturer under these rules shall at all times be open to the inspection of the officer-in-charge and of all superior officers.

57. (a) The rules which may be framed from time to time under section 62(d) of the Excise Regulation I of 1915 in so far as they relate to the control of the Collector ejection of riotous persons, conservance of holidays, payment of advances, use of ticketed locks and fixation and gauging of receptacles in distilleries shall apply *mutatis mutandis* to the bonded pharmacy.

58. Amendment of rules.—The State Government reserve the right of addition to, altering, revising or changing these rules from time to time either after or without consulting the manufacturer, and the manufacturer shall carry out all orders and instructions issued in these rules in their original or revised form, so long as he holds his license.

By order of the Chief Commissioner

P. C. MUKHERJEE
Secretary

FORM B.P.1

License to maintain a bonded Pharmacy for the manufacture of absolute alcohol and alcoholic medicines

This license is hereby granted to resident(s) of to manufacture absolute alcohol and alcoholic medicines in their bonded pharmacy situated at and to sell them to such persons or institutions as may be authorised to purchase the same during the period from to subject to the rules relating to the management and control of bonded pharmacies and to such other rules as may be framed from time to time for the purpose.

The infraction of any of the rules referred to above or of any of the conditions hereinafter following shall involve forfeiture of the license in addition to such other penalties as may be prescribed under the Excise Regulation I of 1915, or the rules made thereunder.

CONDITIONS

1. That the licensee shall deposit a security amounting to Rs. either in cash or in interest bearing securities, viz., Government Promissory, post office cash certificates or National Plan Loan, etc.
2. That the licensee shall pay a fee of Rs. 100 each year for his license.
3. That no alterations shall be made in the premises without the previous sanction of the Collector of Excise.

4. That the spirit store, laboratory and the warehouse attached to the bonded pharmacy shall only be kept open on the days and hours specified below :

Days. Hours.

5. That the licensee shall not transfer or divide his interest in the business without the previous approval of the Collector of Excise.

6. That if the licensee goes out of business he shall dispose of his stock of rectified spirit or unused preparations in such manner as the Collector of Excise may direct.

7. That the bonded pharmacy and the accounts maintained by the licensee shall at all time be open for inspections by such officers of the Excise, Medical

and Public Health Departments as may be authorised to do so.

8. That the licensee shall allow officers authorised in this behalf to take samples of absolute alcohol and alcoholic medicines in accordance with the rules.

9. That only absolute alcohol of the British Pharmacopeia Standard and such alcoholic medicines may be manufactured and sold under this license as are specified in the list approved by the Collector of Excise Acting in consultation with the Civil Surgeon, Ajmer for this purpose.

*Excise Commissioner
Ajmer State*

Date

(Attached shall be a list of alcoholic medicines and toilet preparations approved by the Collector.)

FORM B.P. 2

Gauge tabulations of receptacles

Table of dimension	Wet inches	GALLONS									
		Tenths of an inch									
0	1	2	3	4	5	6	7	8	9		

FORM B.P. 3

To be used in the bonded pharmacy of.....at district

TABLES

Date.....
Vessel No.....
Nature of contents

Rectified spirit put in.....
Quantity

Batch No. (Form B.P. 15).....
Quantity
L.P. Gallons.....
Strength.....

Officer-in-charge

FORM B.P. 4

Permit for issue of rectified spirit to bonded pharmacy

No.....

Dated.....19

1. Name of Consignor

2. Name of Consignee

3. Place for which issues are to be made

4. In bond (without pre-payment of duty).....

5. Quantity Bulk gallons

This permit will remain current upto.....

*Collector of Excise Revenue
State of Ajmer*

This will be in quadruplicate, one copy to be supplied to the applicant one copy sent to Excise Inspector In-charge Distillery from which rectified spirit is to be received, one copy to be sent to the Officer-in-charge of the Pharmacy and the fourth kept for record.

FORM B.P. 5

Register of receipts of rectified spirit into the bonded pharmacy.

Date of despatch	Despatch account				Date of		Result of re-examination								Remarks about state of cask or arrival when an excess wastage is found		
	Name of distillery	No. of each cask or drum	Weight of cask empty	L.P. Gallons in each cask	Arrival	Verification	If ascertained by weightment	Weight of cask full	Net weight of spirit	Contents of cask	Temperature	Indication	Strength	L.P. Gallons in each cask	Wastage allowable	Wastage chargeable	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

FORM B.P. 6

Vat account of spirit received from Distillery into bonded pharmacy.

		Capacity				Depth										
1	2	3	Dip	Bulk Gallons	Temperature	Indication	Strength	Proof Gallons	Date when issued	10	11	12	13	14	15	16

FORM B.P. 7

(To be maintained by the officer-in-charge) DIARY

Time of entry		Particulars of gauges proofs and gravities taken							Details as to use of lock tickets																				
1	2	3	No. of vessels or receptacles	4	Inches and tenths of an inch as shown by dipping rod	5	Quantity (bulk Gallons)	6	Temperature	7	Hydrometer indication	8	Strength	9	Quantity in Proof Gallons	10	Dip	11	Bulk Gallons	12	Temperature	13	Indication	14	Strength	15	Proof Gallons	16	Officer's initials

FORM B.P. 8

Messrs

BONDED PHARMACY

Application No.

To

The Officer-in-charge,

Messrs.

Bonded Pharmacy

Sir,

Please issue gallons of rectified for the manufacture of the following preparations.

Date	Name of preparation	Batch No.	Bulk Gallons of rectified spirit required	Strength	L. P.	Remarks

Total

Messrs

BONDED PHARMACY

Application No.

To

The Officer-in-charge,

Messrs.

Bonded Pharmacy

Sir,

Please issue gallons of rectified for the manufacture of the following preparations.

Date	Name of preparation	Batch No.	Bulk Gallons of rectified spirit required	Strength	L. P.	Remarks

Total

FORM B.P. 9

Account of the spirits recovered in the bonded pharmacy.

Capacity							Depth	
Date	Dip	Bulk Gallons	Temperature	Indication	Strength	Proof	Observations. How recovered, special, disposed of and No. of Collector's order	Officer's initials
1	2	3	4	5	6	7	8	9

FORM B.P. 10

Advice of samples sent for estimation of alcoholic strength

To

The Chemical Examiner,

Sir,

I beg to advise despatch of the undermentioned samples of absolute alcohol and alcoholic medicine for analysis and report of their true alcoholic strengths.

Name of the Preparation	Batch No.	Strength found by analysis	Remarks	Initials

Yours faithfully
Officer-in Charge

Chemical Examiner

The officer-in-charge must send two copies of this advice to the Chemical Examiner, who will return one copy duly filled in and signed.

Dated

FORM B.P. 11

Account of absolute alcohol and finished alcoholic medicines issued from the ware house during the month
 Year to be maintained at the bonded pharmacy of at district
 (To be maintained by the officer-in-charge)

Date of issue	Number of pass	Name of consignee	Name of preparation	Batch No.	Bulk Gallon	Strength*	L. P. Gallons	Issued duty free	Issued duty paid	Amount of duty paid	No. and date of Treasury Challan under which paid	Surcharge of duty payable if any	Date and number of Treasury Challan under which this Surcharge was paid	Destination of duty free issue	Officer's signature	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

*This will be the strength found by analysis if the preparation has been sampled and the result received, otherwise declared strength will be entered

FORM B.P. 12

Messrs
and Co's bonded
Pharmacy

Counterfoil

Applications for the issue of absolute alcohol and
alcoholic medicines.

No. Date

To whom consigned

Name of preparation

Quantity of preparation

Total proof spirit contents

Rate of duty

Amount of duty paid

No. and date of treasury receipt attached.

Signature of Licensee

FORM B.P. 12

(To be stamped)

Applications for pass for removal of absolute alcohol and alcoholic medicines from the bonded pharmacy of.....

Messrs and Co's Bonded Pharmacy No. Dated

To
The Officer-in-charge of Messrs and Co's bondedPlease issue the following alcoholic medicines. Treasury Receipt No. dated , for duty paid
is enclosed.

1	2	3	Batch No.	No.	Bottles, Jars, Drums	Qty. contained in each gallon and fluid ounces	5	6	7	8	9	10	11	12	13	14	15	16	17	Details of Issues

* This will be the strength found by analysis if the preparation has been sampled and the result received, otherwise the declared strength will be entered.

FORM B.P. 13

(In triplicate)

Pass covering issues from a bonded pharmacy..... 3. Place to which issued

No. Dated 195 . 4. Number and date of permit (if any).....
Duty paid..... Rs.....

Current to..... 5. Duty free.....

1. Name of consignor In bond.

2. Name of consignee.....

Officer-in-Charge

FORM B.P. 14

Accounts of samples of tinctures, etc. sent to Chemical Examiner

FORM B.P. 15

Register of operation in the laboratory of Messrs..... at..... District..... during the month of

(To be maintained by the licensee).

Spirit used in Manufacture				Name of preparation	Batch No.	Date when Manufacture completed and Articles removed to stock	Spirit remaining in finished Preparation			Wastage Col. No. 4 minus Column No. 10	Initials of Licensee	Remarks
Date	Bulk Gallons	Strength	L. P. Gallons				Bulk Gallons	Strength	L. P. Gallons			
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM B.P. 16

Stock account of each alcoholic medicine and absolute alcohol.

Name of preparation.....

FORM B.P. 17

Monthly account of transactions in the Bonded Pharmacy of the..... district..... month..... year.....

(To be maintained by the licensee)

Month	Detail of spirit received in spirit Store for each cash in a consignment				Stock account of rectified spirit in L.P. Gallons							
	1	2	3	4	5	6	7	8	9	10	11	12
	Name of Distillery from which despatched. No. and date of Pass, date of receipt in the chemical works.	L. P. gallons of spirit received in the spirit store.	L. P. gallons of spirit received in the spirit store.	Wastage from L.P. gallons	Percentage of wastage	Balance in hand at the end of the month	Receipt	Issue	Balance	Balance ascertained at stock-taking	Wastage	Percentage of wastage

Month	Manufacturing details in L.P. gallons			Disposal of spirit recovered from Manufacturers etc. L.G.P.			Samples sent to Chemical Examiner		Issue details			Remarks	
	14	15	16	17	18	19	20	21	22	23	24	25	
1	Spirit used in finished preparations (not including that recovered and added to the same preparation)	Wastage in manufacture	Spirit present on finished preparation	Spirit remaining in unfinished preparation	Used in making preparations	Destroyed in the presence of the officer-in-charge.	Quantity in hand	Date of despatch	Strength declared by the licensee	Strength ascertained on analysis	L.P. gallons issued	Duty	Surcharge

FORM B.P. 18

Register of advance account

			Rs. a. p.
<i>Balance of advance outstanding to the credit of the distiller</i>			
<i>Amount paid in advance as per Challan No. dated</i>			
<i>Do.</i>			
<i>Total</i>			
<i>Deduct duty on issues shown hereunder</i>			
<i>Balance carried forward</i>			

Issues

Pass No.	Duty	Total	Pass No.	Duty	Total
Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	

Stock account of spirit used for making absolute alcohol and alcoholic medicines for the month of

Date of receipt	Whence received	Bulk	Strength	Proof	Date when taken from vessel	Spirit contained in	Gallons	
1	2	3	4	5	6	7	8	9

FORM B.P. 19

FROM VAT ACCOUNT

Ajmer, the 13th January 1955

No. H(1)/53/54-PWE—Leave on average pay for 47 days, in two spells from the 13th to 19th October 1954 (both days inclusive) and from 22nd October 1954 to the 30th November 1954 (both days inclusive) was granted to Shri Mohammed Hamid Khan, Superintendent of Excise, Ajmer.

By order

A. R. SETHI
Secretary

Law and Judicial Department

Ajmer, the 11th January 1955

No. 21/1/54-L&J—In exercise of the powers conferred by sub-section (1) of section 3 of the Special Marriage Act 1954 (43 of 1954) the Chief Commissioner, Ajmer hereby appoints the Deputy Commissioner, Ajmer as Marriage Officer under the said Act for the whole of the State of Ajmer.

By order

P. N. SETHI
Deputy Secretary

Medical and L.S.G. Department

Ajmer, the 14th January 1955

No. 1/161/54-LSG—In exercise of the powers conferred by section 12 of the Cattle Trespass Act, 1871 (XVII of 1871) read with the Government of India, Late Home Department Notification No. F.126/37-Public dated the 1st April 1937, the Chief Commissioner, Ajmer hereby directs that the following amendment shall be made in his

Notification No. 11/45/50-Admn., dated the 19th January 1951, namely:—

In the said Notification under the column "Fine per head" and against the item "pig" for the letters, figure and marks "Rs. -/8/-" the letters, figure and marks "Rs. 2/-" shall be substituted.

By order
V. N. BHATIA
Deputy Secretary

Labour Department
Ajmer, the 14th January 1955

No. 20/5/53-Lab—The following draft of an amendment which the Chief Commissioner, Ajmer, proposes to make in the Ajmer State Factories Rules, 1950, in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Act LXIII of 1948) read with the Government of India, Ministry of Labour Notification No. Fac.41(38), dated the 11th January 1949, is published under section 115 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th May 1955. Any objections or suggestions which may be received from any person with respect to the draft by the aforesaid date will be considered by the Chief Commissioner.

Objections and suggestions should be addressed to the Chief Inspector of Factories for the States of Delhi and Ajmer, I Raipur Road, Delhi.

Draft amendment

The following shall be inserted as a proviso to rule 69(2) of the said rules:—

"Provided that the accounts pertaining to the Canteens in a Government Factory having its own accounts department may be audited in such department".

By order of the Chief Commissioner
V. N. BHATIA
Deputy Secretary

REGD: No. D 222.